



COUNCIL AGENDA

Date: July 21, 2025      Item: 5.



**DISTRICT OF WEST VANCOUVER**  
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

## COUNCIL REPORT

Date:	July 7, 2025
From:	James Allan, Upper Lands Senior Development Planner
Subject:	Proposed Development Application for 3861 & 3875 Upland Way and 3389 & 3181 Chippendale Road
File:	1010-20-25-013, 24-110 & 25-112

### RECOMMENDATION

THAT proposed “Phased Development Agreement Authorization Bylaw No. 5041, 2019, Amendment Bylaw No. 5400, 2025” be read a first time.

### RECOMMENDATION

THAT proposed “Phased Development Agreement Authorization Bylaw No. 5041, 2019, Amendment Bylaw No. 5400, 2025” be presented at a public hearing on September 8, 2025, at 6 p.m. in the Municipal Hall Council Chamber and via electronic communication facilities (WebEx video conferencing software), and that notice be given of the scheduled public hearing.

### RECOMMENDATION

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5279, 2025” be considered for first, second, and third readings at the September 8, 2025 Council meeting scheduled for 6 p.m. in the Municipal Hall Council Chamber and via electronic communication facilities (Webex video conferencing software), and that notice be given of the scheduled consideration.

### RECOMMENDATION

THAT subject to adoption of proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5279, 2025” and “Phased Development Agreement Authorization Bylaw No. 5041, 2019, Amendment Bylaw No. 5400, 2025”, District staff are authorized to amend covenants registered on title of the subject lands and carry out any administrative steps and tasks that staff consider necessary to give effect to the proposed bylaw amendments and development permits.

### 1.0 Purpose

To present to Council a proposed development application for 3861 and 3875 Uplands Way, and 3181 and 3389 Chippendale Road to allow for 323 units in four apartment buildings. To allow for the proposal, the following are being considered by Council:

- An amendment to Zoning Bylaw to allow for an increase in the maximum number of storeys and absolute height, and to remove the requirement for dwelling units on 3975 Uplands Way to be rental tenure.
- An amendment to the Phased Development Agreement for Rodgers Creek to remove the requirement for dwelling units on 3875 Uplands Way to be rental tenure.
- Development Permits for 3861 and 3875 Uplands Way, and 3389 Chippendale Road for the proposed buildings on these sites to regulate the form and character of development and ensure the development permit guidelines are being complied with.
- Administrative steps to be undertaken by staff to give effect to the proposed amending bylaws and development permits, such as amending covenants on title of the subject properties.

## **2.0 Legislation/Bylaw/Policy**

### *Provincial Legislation*

The *Local Government Act* requires that a public hearing be held on the proposed phased development agreement authorization amendment in accordance with section 519. The District is prohibited from holding a public hearing for the proposed amendment to the Zoning Bylaw as required by section 464.

### *Zoning Bylaw*

The subject sites consist of four parcels zoned Comprehensive Development Zone 3 (CD3). The tenure of units on 3875 Uplands Way and District-owned 3939 Uplands Way is restricted to rental in the zone. The applicant is proposing to remove this restriction for 3875 Uplands Way to allow for strata units and a zoning amendment is required. The proposed zoning amendment also increases the maximum permitted heights and number of storeys for all four Beedie-owned parcels.

### *Phased Development Agreement for Rodgers Creek*

The Phased Development Agreement (PDA) for Rodgers Creek requires a rental building be constructed on Lot 12 (3875 Uplands Way). A Phased Development Authorization Bylaw amendment is required to amend the Agreement to remove this restriction to align the PDA with the proposed amendment to the CD3 zoning.

### *Preliminary Development Proposal and Public Consultation Policy*

Council's Preliminary Development Proposal and Public Consultation Policy establishes procedures to expand opportunities for public input, information sharing, and to provide a forum to identify and discuss potential issues and concerns early in the development proposal process.

Applicants are encouraged to liaise with District staff and the public prior to the proposal being formally considered by Council by submitting a preliminary development proposal and undertaking preliminary public consultation to allow for initial staff review and public input. The applicant has completed this process.

### **3.0 Council Strategic Objective(s)/Official Community Plan**

#### *2024 – 2025 Council's Strategic Plan*

Applicable strategic goals and objectives:

Strategic Goal: Expand a diverse housing supply.

Objective 2.1: Work towards new targets and deliverables mandated by the Province under the *Housing Supply Act*.

#### Official Community Plan

The Rodgers Creek Area is designated a development permit area and proposed development is reviewed against the relevant development permit guidelines regarding protection of the natural environment, protection of development from hazardous conditions and regulation of the form and character of multifamily development.

### **4.0 Financial Implications**

#### **4.1 Community Amenity Contribution and Purchase of Lot 11 Floor Area**

Based on the Public Amenity Contribution Policy, applications where a rezoning is necessary are expected to deliver community amenities related to the impacts of development. District policy defines a range of appropriate amenities, including housing affordability and diversity, childcare and cultural facilities, heritage preservation, public art, and public space, parks and the environment.

As a result of the proposed change in tenure of units on Lot 12 and acquisition of floor area allocated to the District-owned parcel at 3939 Uplands Way, the proposal was reviewed by a financial analyst consultant on behalf of the District. Based on the consultant's review of the proposed increase in land value for Lots 1, 9, 12 and 13 resulting from the change in tenure from Lot 12 from rental to strata, the proposed combined Community Amenity Contribution (CAC) and purchase of floor area allocated to Lot 11 is \$13,270,073.

#### **4.2 Development Cost Charges**

Development Cost Charges (DCC's) of approximately \$1,134,000 (excluding third party DCC's such as Metro Vancouver) will be payable at the times required by the *Development Cost Charge and Amenity Cost Charge (Installments) Regulation*.

## 5.0 Background

### 5.1 Previous Decisions

#### *Previous Council Resolutions*

Council, at its June 23, 2025 regular meeting, passed the following resolutions:

*THAT the bylaw amendments, development permits and other administrative steps required for the proposed development application for 3861 & 3875 Upland Way and 3389 & 3181 Chippendale Road, as described in the report dated June 5, 2025 from the Upper Lands Senior Development Planner, be brought forward for consideration at a future Council meeting.*

*THAT the following resolution, made at the March 31, 2025 closed special Council meeting regarding Item 8 regarding Beedie Development Application in Rodgers Creek (Area 6) – Update, be released for public information:*

*THAT staff be directed to proceed with processing the development application that includes the transfer of floor area from the District-owned parcel (Lot 11) and that the proposal be brought forward for Council's consideration at a regular Council meeting.*

### 5.2 History

#### *Preliminary Development Proposal*

The applicant submitted a preliminary development proposal and undertook a public consultation process in accordance with the *Preliminary Development Proposal and Public Consultation Policy* (the "Policy"). A preliminary public consultation meeting was held on January 13, 2025 at Mulgrave School. Notification and advertisement of the meeting was undertaken in accordance with the Policy. One member of the public attended the meeting and no correspondence was received by the applicant or the District. The applicant then submitted zoning amendment and development permit applications in January 2025.

#### *Planning Committee*

The zoning amendment and development permits for Lots 9 and 12 / 13 were considered by the Planning Committee at their January 22, 2025 meeting where the Committee passed the following motion:

*THAT the Planning Committee does not support the overall approach to adding density to the Area 6 sites (Lot 9 and Lots 12/13) as currently proposed based on the scale and height of the resultant buildings;*

*AND THAT the Planning Committee recommends reconsideration of the 3389 Chippendale Road and 3861 & 3875 Uplands Way application to:*

1. *review and revise the approach to adding density to Beedie-controlled parcels within Area 6 of Rodgers Creek to allow for supportable scale, massing, and height of the resultant buildings in a comprehensive proposal;*
2. *revise the design for the Lot 9 building to rework the overall scale, massing, and height to fit within its overall and immediate context in Rodgers Creek (noting that the Committee provided unconditional support for the previous zoning compliant design); and*
3. *consider design development for the proposed buildings on Lots 12/13 to:*
  - a. *review the contextual fit for sites in the immediate surrounding area; and*
  - b. *consider the colour palette and materiality to better blend within the forested setting.*

The applicant's response to the Planning Committee motion is discussed later in the report under 6.3 – Discussion.

## **6.0 Analysis**

### **6.1 Subject Parcels and Context**

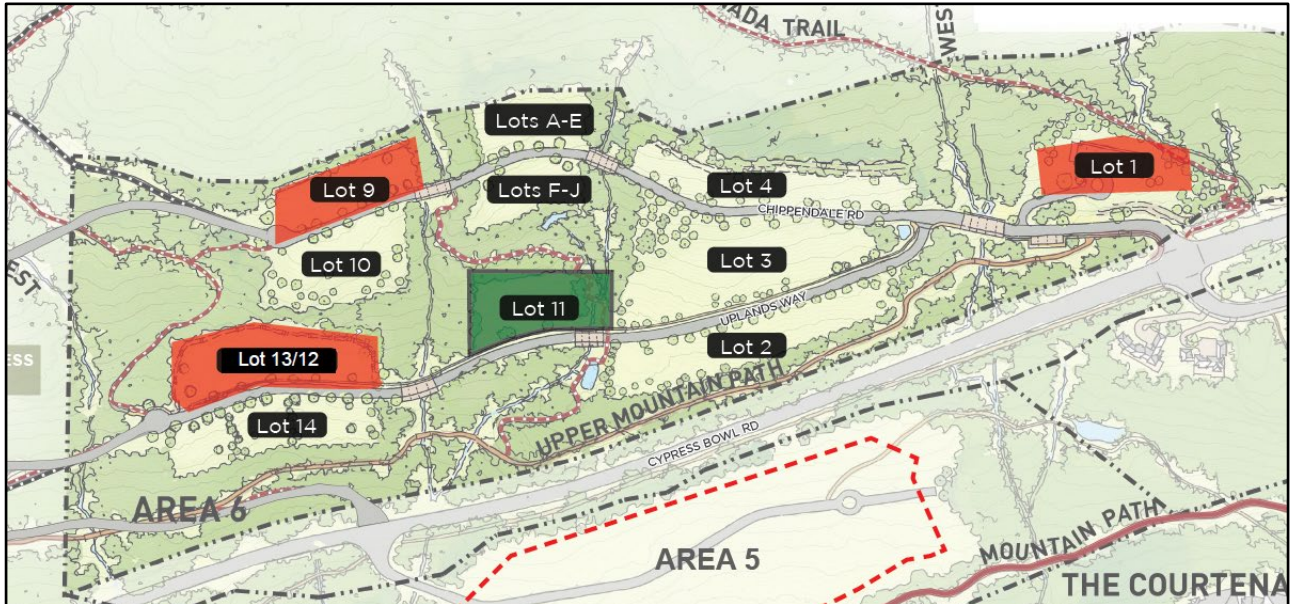
The subject parcels owned by Beedie Living are located within the area known as “Area 6” of the Rodgers Creek Area (see Figure 1 and **Appendix A**):

- 3861 Uplands Way (“Lot 13”),
- 3875 Upland Way (“Lot 12”),
- 3389 Chippendale Road (“Lot 9”), and
- 3181 Chippendale Road (“Lot 1”).

A covenant is registered on the title to District owned Lot 11 which restricts the tenure of units on Lot 11 to rental until February 2030.

Other sites in Area 6 are a mix of developed and undeveloped parcels. 3370 Chippendale Road (“Lot 10”) and 3852 Uplands Way (“Lot 14”) are vacant parcels allocated six and 14 cluster housing units respectively.

3317 – 3331 Chippendale Road (labeled “Lots A-E” and “Lots F-J” in Figure 1 below) contain occupied detached houses. 3261 – 3299 Chippendale Road (“Lot 4”) contains 10 completed detached cluster housing units. Two buildings (7 and 11 storeys) containing 77 units are under construction at 3963 Uplands Way (“Lot 3”). 16 detached cluster housing units are under construction on 3950 – 3998 Uplands Way (“Lot 2”).



**Figure 1: Subject Parcels and District-owned Lot 11**

## 6.2 Development Applications

Beedie Living has submitted:

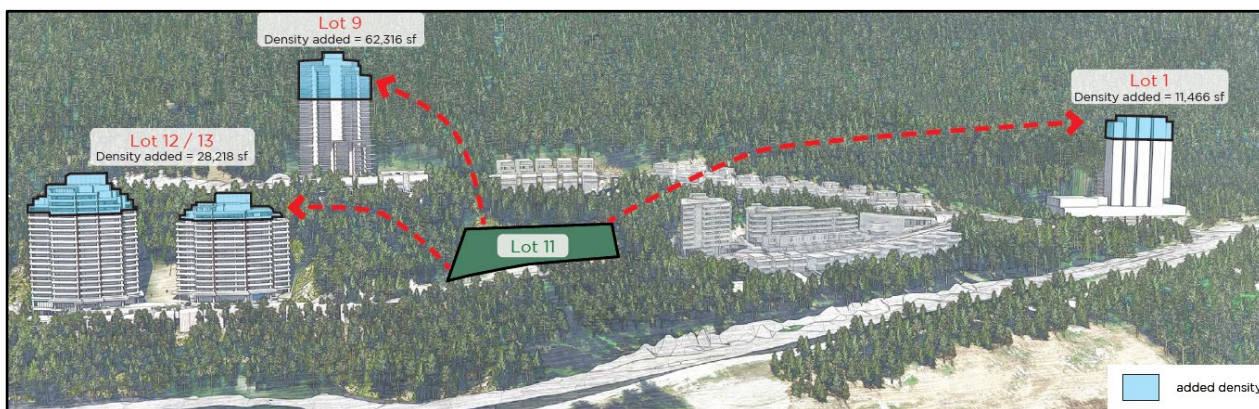
1. A bylaw amendment for the CD3 Zone for the Rodgers Creek Area to:
  - a. remove the residential rental tenure requirement for dwelling units on Lot 12,
  - b. amend the maximum number of storeys for Lot 1 to 20, Lot 9 to 25 and Lot 13 to 20 storeys,
  - c. amend the maximum heights (in metres) for Lots 1, 9, 12 and 13, and
  - d. amending the minimum number of units of 93 m<sup>2</sup> or less in floor area in Area 6 from 30% to 27%.
2. A proposal to transfer the floor area allocated to Lot 11 (102,000 sq. ft.) to Lots 1, 9, 12 and 13 (see Figure 2 below) and as part of the transfer, convert the floor area restricted on Lot 11 from rental tenure to strata on the receiver sites),
3. Development permits for Lots 9, 12 and 13 to construct 260 units in three new multifamily buildings consistent with the proposed zoning amendment,

The proposal would result in 323 units (out of 337 units permitted) within four buildings on Lots 1, 9, 12 and 13.

A bylaw amendment is required to amend the Rodgers Creek Phased Development Agreement (see **Appendix D**) to remove the requirement to construct a purpose building rental apartment building on Lot 12. This bylaw amendment requires a public hearing.

Covenants on titles for the Beedie and District parcels are required to be modified to reflect the proposed dwelling units and floor area on the applicant's parcels. This requires a Council resolution.

A summary of the proposal is outlined in **Appendix B**.



**Figure 2: Proposed Floor Area Transfer**

### 6.3 Discussion

In addition to Council consideration of the amendments to the zoning bylaw and phased development agreement, the proposal will also require Council consideration of Development Permits 24-110 for Lot 9 (**Appendix E**) and 24-112 for Lots 12 and 13 (**Appendix F**).

#### Lot 9 / 3389 Chippendale Road

The proposed apartment building on Lot 9 is to:

- receive 62,316 sq. ft. of floor area from Lot 11,
- be 25 storeys and approximately 87 metres in height,
- include 92 units of which 18 are less than 93 m<sup>2</sup> in area, 74 are between 93 – 195 m<sup>2</sup> in area and 1 is larger than 195 m<sup>2</sup> in area.
- include 201 vehicle parking stalls, inclusive of visitor parking, and
- include 210 bicycle storage stalls for residents and 19 visitor parking.

The proposed building design (see Figure 3 below and **Appendix E**) incorporates a darker colour palette reflecting the surrounding natural context and helping reduce the visibility and apparent massing of the building. Prominent vertical design elements break up the stacked horizontality of the floors. Natural materials are preferred over synthetic materials and include stone cladding, metal siding, and granite retaining walls and gabion wall systems.



**Figure 3: Rendering of Proposed Building on Lot 9 Looking West**

Variations to the zoning bylaw are proposed in the development permit for Lot 9:

- To the front, rear and west side yards, to allow the building to be tucked into the location where the majority of rock blasting has occurred and also in response to reduced site depth resulting from the cul-de-sac bulb at the end of Chippendale Road.
- To the short-term visitor bicycle parking to allow for 14 visitor bicycle parking spaces rather than the required 19.
- To the visitor-parking for vehicles to allow for 15 parking spaces rather than the required 19.

Landscaping of the site is proposed to reflect the surrounding forest context with both informal landscape design and native plant species incorporated around proposed “wellness” and other programmed areas. The street frontage treatment incorporates berm features, planting and hard surface materials to soften the site to the street and provide visual interest.

The amendment to the zoning bylaw (see **Appendix C**) includes a proposed new maximum geodetic height to top of roof of 441 metres to allow for the proposed increased height (approximately 87 m and 25 storeys versus the permitted 50.29 m and 16 storeys). It also allow for the proposed 18 dwelling units with floor area of 93 m<sup>2</sup> or less, to reflect the proposal for more family-sized units and larger units for downsizer purchasers.

*Lots 12 and 13 / 3861 and 3875 Uplands Way*

The proposed apartment building on Lot 12 is to:

- receive 8,781 sq. ft. of floor area from Lot 11;
- be 16 storeys and approximately 57 metres in height; and
- include 81 units of which 36 are less than 93 m<sup>2</sup> in area, 44 are between 93-195 m<sup>2</sup> in area and 1 is larger than 195 m<sup>2</sup> in area.

The proposed apartment building on Lot 13 is to:

- receive 19,437 sq. ft. of floor area from Lot 11;
- be 20 storeys and approximately 69 metres in height; and
- contain 87 units of which 15 are less than 93 m<sup>2</sup> in area, 71 are between 93-195 m<sup>2</sup> in area and 1 is larger than 195 m<sup>2</sup> in area.

Both buildings are located over a common parkade that crosses the common property line, containing:

- 366 vehicle parking spaces inclusive of visitor parking; and
- 375 bicycle storage spaces and 34 short term bicycle parking spaces.

The proposed design of the buildings (see Figure 4 below and **Appendix F**) includes a darker colour palette helping reduce the visibility and apparent massing of the buildings. Building and site materials are proposed to include cement board, metal and glass. The massing of the top of the buildings have been “sculpted” and with large roof overhangs and columns running vertically up the buildings, break up building massing.



Figure 4: Rendering of Proposed Buildings on Lots 12 and 13 Looking North-West

Variances to the zoning bylaw are proposed in the development permit for Lots 12 and 13 to the front, rear and west side yards, to allow the building to be tucked into the location where the majority of rock blasting has occurred.

Landscaping is proposed to utilize the existing rock cliffs and reflect the surrounding forest context with informal landscape design and native species incorporated around “wellness” and other programmed areas. Similar to Lot 9, the street frontage treatment incorporates berm features, planting and hard surface materials to soften the site to the street and provide visual interest.

The amendment to the zoning bylaw includes a proposed new maximum geodetic height to top of roof of 355 metres for Lot 12 and 368 metres for Lot 13 to allow for the proposed increased height.

#### Lots 1 / 3181 Chippendale Road

No development permit application has been submitted for this site yet, however, the site is proposed:

- to receive 11,466 sq. ft. of floor area from Lot 11;
- be 20 storeys in height and approximately 70 metres in height;  
and
- contain 63 units.

The proposed amendment to the zoning bylaw (see **Appendix C**) includes a proposed new maximum geodetic height to top of roof of 400 metres to allow for the proposed increased height. It also allow for a proposed 8 dwelling units with floor area of 93 m<sup>2</sup> or less, to reflect the proposal for more family-sized units on the site and larger units for downsizer purchasers.

A development permit is required for development of the site in the future and consideration is delegated to the Director of Planning, Development and Environment.

#### District-owned Lot 11/ 3939 Uplands Way

The applicant is proposing to acquire the proposed additional floor area from the District owned Lot 11 at 3939 Uplands Way. This would result in no remaining development entitlement for the parcel (i.e. no buildings could be constructed). The District will retain ownership of Lot 11 and could consider a zoning and OCP amendment in future for development of the site.

#### Response to the Planning Committee

In response to the resolutions from the Planning Committee (see History under 5.2 above), the applicant has undertaken the following:

- a. revised the design of the building on Lot 9 removing height and massing from the top three storeys on the east side of the building;

- b. revised the material palette on Lots 12 and 13 to a darker palette to better blend the buildings into the forest setting; and
- c. provide additional information to illustrate the contextual fit of the buildings on Lots 9, 12 and 13 and views of the project from other sites in the immediate surrounding area.

#### 6.4 Climate Change & Sustainability

The Districts Sustainable Buildings Policy requires new buildings proposed under a zoning amendment to achieve the Zero Carbon Step Code Level EL-3 and comply with the highest step of the BC Energy Step Code (the “Policy Requirements”) that is required under Building Bylaw No. 4400, 2004 (the “Building Bylaw”).

Lots 1, 9 and 13 are not subject to the zoning amendment and as required by the Building Bylaw, must achieve Step 4 or Step 2 at EL-3 of the Zero Carbon Step Code.

As only Lot 12 is subject to the zoning amendment, it would need to comply with the Policy Requirements while Lot 13 would not. As the applicant is proposing that the two buildings on Lots 12 and 13 are interconnected over a common parkade, they are proposing to achieve Step 3 for both buildings. Staff support the proposal to achieve Step 3 for both buildings rather than Step 2 for one building and Step 4 for the other.

#### 6.5 Public Engagement and Outreach

The applicant is required notify neighbouring parcel owners within 100 metres and host a proposed development information meeting prior to first reading of the bylaws (scheduled for July 16, 2025). A summary of the public feedback will be provided to Council following that meeting.

The applicant also completed the preliminary development proposal process including notifying parcel owners within 100 metres of the subject sites and hosting a preliminary public consultation meeting.

With the proposed additional height on the parcels, only Lot 12 is located in front of another development parcel (Lot 10). The applicant has engaged with the owner of Lot 10, British Pacific Properties, and has received written confirmation stating that they support the proposed development on Lot 12.

#### 6.6 Other Communication, Consultation, and Research

As Lot 12 is located within 800 metres of Cypress Bowl Road (a controlled access highway), approval of the zoning bylaw amendment prior to adoption is required by the Ministry of Transportation and Transit.

## 7.0 Options

### 7.1 Recommended Option

That Council give first reading to the proposed Phased Development Agreement Authorization amendment bylaw and set a date for a public hearing and for first, second and third readings of the proposed zoning amendment bylaw.

### 7.2 Considered Options

- a) give first reading to the proposed Phased Development Agreement Authorization amendment bylaw and set an alternative date (to be specified) for a public hearing and first reading of the proposed zoning amendment bylaw; or
- b) defer consideration of the proposal pending the receipt of additional information (to be specified) to assist in the consideration of the application; or
- c) reject the application.

## 8.0 Conclusion

Staff recommend approval of the proposed development of the subject sites as it complies with the development permit guidelines for the Rodgers Creek Area and results in the provision of up to 323 market strata units.

Author:



---

James Allan, Upper Lands Senior Development Planner

Concurrence



---

Michelle McGuire, Senior Manager of Current Planning and Urban Design

## Appendices

- A – Context Map
- B – Development Proposal Floor Area, Number of Units and Height Statistics
- C – Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5399, 2025
- D – Phased Development Agreement Authorization Bylaw No. 5041, 2019, Amendment Bylaw No. 5400, 2025
- E – Development Permit No 24-110 for 3389 Chippendale Road
- F – Development Permit No. 24-112 for 3861 and 3875 Uplands Way